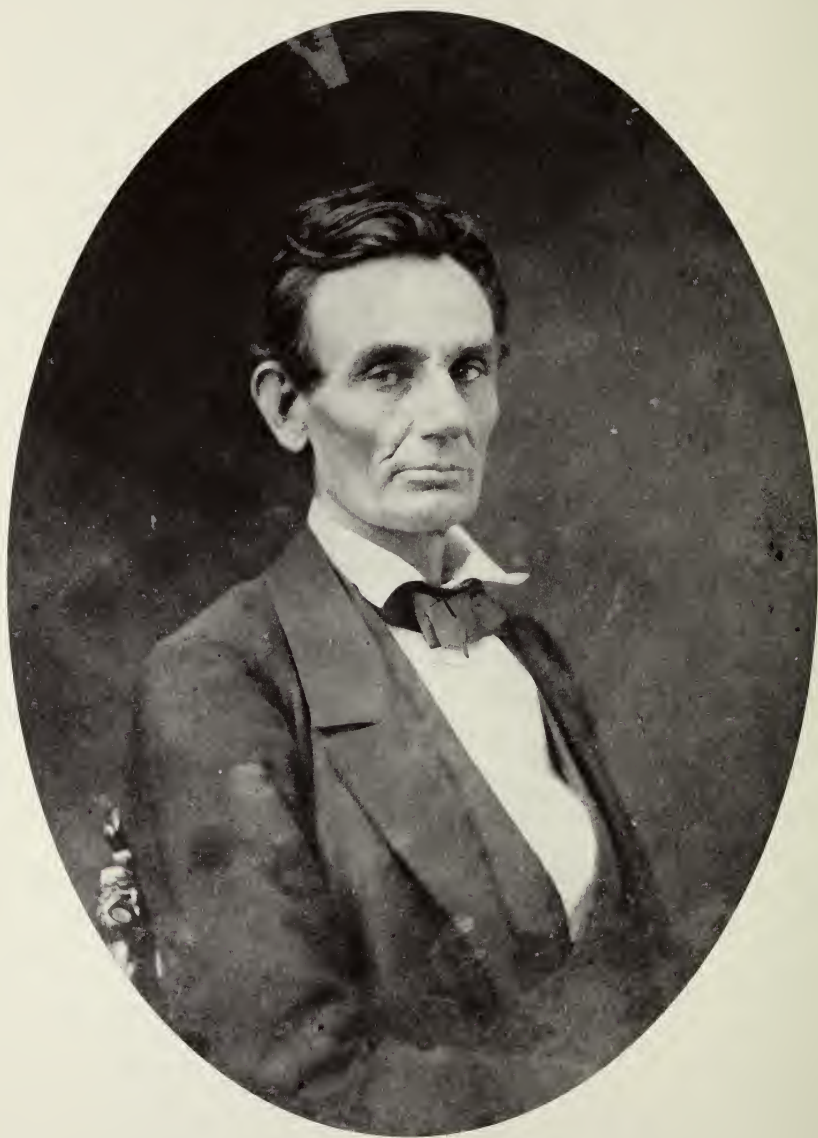


1991-18

dup.

"THIS GRAND PERTINACITY"

ABRAHAM LINCOLN AND THE DECLARATION
OF INDEPENDENCE



“THIS GRAND PERTINACITY”

Abraham Lincoln and the Declaration of Independence

MERRILL D. PETERSON

Jefferson Foundation Professor of History Emeritus
University of Virginia

THE LINCOLN MUSEUM

PART OF LINCOLN NATIONAL CORPORATION

FORT WAYNE, INDIANA

1991

Frontispiece: Abraham Lincoln, from a photograph
by Samuel M. Fassett taken in Chicago, October 4, 1859.

Copyright © 1991 Lincoln National Life Foundation, Inc.
Permission to abstract is granted provided proper credit is allowed.

The Lincoln Museum is not responsible for
opinions expressed on the following pages.

The fourteenth annual R. Gerald McMurtry Lecture
was delivered at the Lincoln National Life Insurance Co.
in Fort Wayne, Indiana, on May 16, 1991.

THE APOTHEOSIS of Abraham Lincoln, the martyr President, in 1865, culminated in the national Fast Day proclaimed by President Johnson on the first day of June. The observance in Boston was especially impressive. Church services in the forenoon were followed by a grand parade in eight divisions, which wended its way through the city's crooked streets and stopped before the Music Hall at 4:00 p.m. There the program featured a choral hymn written by Boston's poet laureate, Oliver Wendell Holmes. Sung to the music of Luther's *Judgment Hymn*, it implored God to be "thy orphaned Israel's friend" and with the blood of the father wash away the sins of the children. But the event was chiefly memorable for the eulogy pronounced by Charles Sumner: *Promises of the Declaration of Independence and Abraham Lincoln*. The Massachusetts Senator's devotion to Lincoln was marvelous. No two men could have been more unlike in their personalities, one simple and unaffected, the other learned and pretentious, and they had often been at odds politically; nevertheless, they had enjoyed a productive friendship because they respected and instructed each other. Sumner had grieved at the President's deathbed, and when it came to the rights of the Negro freedmen, he thought he understood the better angel of Lincoln's nature.

Sumner's oration was distinguished from the hundreds of thousands of words uttered during this season of apotheosis by its focus on Lincoln and the Declaration of Independence. Lincoln vindicated, said Sumner, the two great promises of the Declaration quite beyond independence itself: the inalienable rights of

man and the oneness of the American nation. In the 1850's he took up the idea of liberty and equality in the Declaration, then clung to it "with all the grasp of his soul." "This grand pertinacity" was the most interesting incident in his biography and his chief title to fame and glory. In the end, "it was the sacrificial consecration of those primal truths embodied in the birthday Declaration of the Republic" that caused his death. Nothing in history was more touching and more profound, Sumner thought.¹

No one, in 1865, understood as well as Sumner the central importance of this theme in Lincoln's thought and politics. In time, it would be more widely recognized. Thus James A. Garfield, speaking in Congress in 1878, thought that history afforded no example of "a life so early, so deeply, and so permanently influenced by a single political truth, as was Abraham Lincoln's by the central doctrine of the Declaration [of Independence]. That truth runs, like a thread of gold, through the whole of his political life." Thus William H. Herndon, Lincoln's friend and biographer, said that the Declaration of Independence was "his greatest inspiration." Thus Moses Coit Tyler, the literary historian, wrote, "It was the preamble of the Declaration of Independence which elected Lincoln, which sent forth the Emancipation Proclamation, which gave victory to Grant, which ratified the Thirteenth Amendment."² Without necessarily concurring in these sweeping judgments, I am proposing this evening to chart the idea of the Declaration of Independence—"this grand pertinacity"—in Lincoln's thought and to inquire into its significance for the course of American history.

*

Presumably Lincoln first encountered the Declaration, together with other founding documents—the Constitution, the Northwest Ordinance—in a law book, *The Statues of Indiana*, which he read as a youth. The fact that he found it in a law book—the first

law book he knew—was important, for he would later brush this manifesto of human rights with the color of law. With the body of that most famous of all American state papers, the bill of indictment against George III, Lincoln and his generation had nothing to do. They were concerned, rather, with the Preamble. In the first paragraph the author, Thomas Jefferson, broached the idea that the Americans of the thirteen colonies were “one people,” now ready “to dissolve the political bands which have connected them with another, and to assume among the powers of the earth, the separate and equal station to which the Laws of Nature and of Nature’s God entitle them.” This was the seed of American nationalism. The Declaration was the united act of “the whole *people*,” as Joseph Story asserted in his *Commentaries on the Constitution*, and with its adoption a *nation* was born. In the second paragraph, Jefferson advanced in axiomatic terms a political ideology for this new nation. Lincoln, like Jefferson, was a student of Euclid’s geometry and thus easily drawn to the conception of axiomatic or “self-evident” truths in the moral and political world, as in the physical.

And what are these truths?

First, *equality*: “all men are created equal.” Because of the unity of the human species, all men are equal in the order of nature and therefore in fundamental rights and liberties.

Second, *natural rights*: “they are endowed by their Creator with certain unalienable rights . . . among these are Life, Liberty, and the pursuit of Happiness.” These rights being natural are antecedent to civil government; indeed the whole object of government is to secure individuals in them. The usual formulation, as in Jefferson’s principal source, John Locke’s *Second Treatise on Civil Government*, was “life, liberty, and property.” By substituting for the last of these “the pursuit of happiness,” Jefferson altered the hierarchy of human values. Why he did so is a much controverted subject. From Lincoln’s perspective, certainly, the fact that Jeffer-

son was a conscience-stricken Virginia slaveholder made it impossible for him to imply any guarantee of this peculiarly infernal property in a fundamental declaration of human rights.

Third, *sovereignty of the people*: "that to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed." Always before in history ultimate authority had been vested in the governing power; the theory of the Declaration placed it in the people, thereby subordinating the rulers to the ruled. This was the essence of democracy. The idea reverberated eloquently in the last chord of the Gettysburg Address, for government *of, by, and for* the people was another way of saying "consent of the governed."

Fourth, *the right of revolution*: "whenever . . . Government becomes destructive of these ends, it is the Right of the People to alter or abolish it, and to institute new Government." The very right that brought the nation into being was thus built into its foundation. Of course, the Confederacy would appeal to this right in 1861, and President Lincoln would reject the claim as fraudulent.³

The early fame of the Declaration lay in its historical character as a justification of separation and independence more than in its character as a philosophy of freedom and self-government. After 1815, however, the Preamble was celebrated as a canonical text—a higher law founded in reason and nature. Schoolboys learned to lisp its phrases and they resounded from every Fourth of July platform. In the 1830's abolitionists conscripted the doctrine in their cause. This produced a strong reaction against the Declaration of Independence in the South where slavery, earlier deplored as an evil to be extinguished, was increasingly viewed as a positive good. Southern apologists either explained away the egalitarian doctrine of the Declaration or dismissed it as an effusion of infidel French philosophy. The southern reaction reverberated in national politics. Northern political leaders, anxious not to rock the

boat, shied away from the revolutionary doctrine of 1776. In the political symbolism of the age, the Constitution eclipsed the Declaration of Independence. The Constitution bespoke the law and bespoke the Union. None of “the great triumvirate” of senators, Daniel Webster, Henry Clay, and John C. Calhoun, invoked the Declaration of Independence as a sanction or an inspiration. Webster, in 1830, proclaiming “Liberty *and* Union, now and forever, one and inseparable,” consecrated American nationhood, but he said nothing of the rights of man. Calhoun, in 1848, predicted that the future historian would trace the dissolution of the Union back to its root cause in that “most dangerous of political errors” embodied in the nation’s birthright. Of the leading statesmen of the time only John Quincy Adams had a conception of the Declaration and the Constitution as necessary to each other—“parts of one common whole”—in a manner that foreshadowed Lincoln’s.⁴

During these years, Lincoln, too, seems never to have entertained a serious thought about the Declaration of Independence. He did not engage in commemorative oratory—never made a Fourth of July Address—and in this respect he was like his political idol, Henry Clay. His Lyceum lecture of 1838, *The Perpetuation of American Political Institutions*, shows that he possessed the appropriate sentiments of piety and veneration for the Founding Fathers, but the burden of his inflated rhetoric was reverence for the law as the bulwark against the “mobocratic spirit” threatening the American experiment in self-government. It was, in short, a thoroughly conservative message in which the philosophy of the Declaration of Independence found no place.⁵ The “thread of gold,” despite Garfield, did not run through the whole of Lincoln’s career.

But Lincoln’s outlook changed, and the Declaration was part of that changed outlook, in the pivotal year, 1854, marked by congressional passage of the Kansas-Nebraska Act. His political

passions had cooled after the completion of his term in the House of Representatives in 1849; and everyone who knew Lincoln dated the revival of his ambitions to this act and the political shake-up that accompanied its passage. He himself later said it "aroused him as he had never been before."⁶ The fact that Senator Stephen A. Douglas, his Illinois Democratic rival, was the father of this legislation undoubtedly contributed to Lincoln's zeal against it. Douglas's bill to organize the Kansas and Nebraska territories incorporated the "popular sovereignty" principle, whereby the decision for or against the admission of slavery would be made by the people of a territory themselves without the intervention of Congress. Since these lands had been closed to slavery by the restriction of the Missouri Compromise, the bill repealed that historic sectional compact. Antislavery leaders in Congress at once denounced Douglas's bill as a diabolical plot—"a gross violation of a sacred pledge"—to expand slavery and court southern support for his presidential aspirations. The debate during the next three or four months convinced Lincoln that the day of compromise between freedom and slavery had passed. The precise mental channels through which he was led to a hardened antislavery position are obscure. Nor is it possible to say with certainty what led him to respond positively to the core doctrine of the Declaration of Independence as a vehicle to express his new political outlook. But it is not difficult to imagine Lincoln in his law office, legs stretched out full length upon a chair in front of him, reading the speeches in the *Congressional Globe* and discussing with "Billy" Herndon every facet and every angle of the issues in debate.

He would surely have noticed that one of the underlying issues was the truth or falsity, the relevance or irrelevance, of the Declaration of Independence. He would have read the bold avowals of Ohio Senators Benjamin F. Wade and Salmon P. Chase that the Negro *was* equal to the white man under "the sublime creed of

human rights” promulgated in the founding state paper. He would have heard from the other side, indeed from Douglas himself, that the Declaration of Independence referred only to the right of the people of the separate colonies to regulate their own domestic affairs. Its liberty and equality pertained to local self-government, and so it sanctioned the principle of popular sovereignty embodied in the senator’s bill. Lincoln would have read Indiana Senator John Pettit’s speech pronouncing Jefferson’s egalitarian dogma “a self-evident lie,” and when queried as to what principle, if any, *was* established by the American Revolution, answer the right of the colonies to independence from Great Britain. Repeatedly, in speeches to come Lincoln would cite Pettit’s assertion as an example of the moral indifferentism that robbed the American experiment of its character. How far he would have agreed with the argument of Gerrit Smith, the New York congressman renowned as a philanthropist and reformer, it is difficult to say; but even Smith’s radical rhetoric later echoed in Lincoln’s. The Declaration of Independence—its principles of liberty and equality—was the highest authority in American politics, said Smith. He cited the famous Massachusetts case of *Commonwealth v. Aves*, in 1836, which concerned the status of a slave brought temporarily into a free state. The slave was instantly made free, according to Chief Justice Lemuel Shaw, for slavery had been abolished in Massachusetts by the first article of the Constitution of 1780, which declared “all men are born free and equal” in the manner of the Declaration of Independence. “The putting forth of this [state] paper was the first sovereign act of the American people—their first national and authoritative utterance. The Declaration of Independence was the declaration of the fact of the American Union; and to that paper preeminently are we to look for the causes, and character, and objects of the American Union.” The Constitution of 1787 derived its legitimacy from the Declaration and only perfected the Union of 1776. “You

might as well talk of supplanting the Bible with the farthing tract written to expound it," said Smith, "as talk of supplanting the Declaration of Independence with any subsequent paper." It enshrined "the great centre truth" of human equality; but for it there would have been no American nation, no Constitution, and no liberty. Lincoln was too strong a constitutionalist to buy this argument wholly, yet traces of it may be detected in his evolving understanding of the relationship between the Declaration and the Constitution.⁷

Whatever Lincoln's exact response to the congressional debate, he left no doubt of the impact of the Kansas-Nebraska Act upon him. He made known his disapproval on August 9, 1854, when he greeted returning congressman Richard Yates at the railroad station, commended his Anti-Nebraskaism, and urged him to run for reelection. For twenty-three days prior to this meeting, as Paul Angle pointed out many years ago, there is no record whatsoever of Lincoln's activities.⁸ Had he, like some mythical hero, withdrawn from the world to prepare for a great ordeal? In any event, when he reemerged in August and took to the stump for Yates, he brought into politics not only a changed outlook but also a new style of speaking characterized by moral earnestness and high purpose.

Near the end of September, Lincoln began the series of speeches in answer to Douglas which put forward his appeal to the Declaration of Independence. The most important of these was delivered at Peoria on October 16. Lincoln observed that the author of the Declaration of 1776 and the author eight years later of the first act of government for the territories, including the prospective ban on slavery, were the same man. Subsequent restrictions, in the Northwest Ordinance, the Missouri Compromise, and the Wilmot Proviso, carried forward the original Jefferson Proviso. The repeal of the Missouri Compromise thus knocked the props from under a policy almost as old as the nation

itself. This was wrong because slavery was wrong. In passionate language, Lincoln voiced his hatred of the institution and attacked those, like Douglas, who professed moral indifference toward its expansion. In the South, where expansion was openly avowed, equal justice demanded, it was said, that inasmuch as we in the free states might take our hogs to Kansas, they must be allowed to take their slaves. "Now, I admit this is perfectly logical, if there is no difference between hogs and negroes," Lincoln replied. But, he continued, "If the negro is a *man*, why then my ancient faith teaches me that 'all men are created equal'; and there can be no moral right in connection with one's making a slave of another." Douglas advanced the claim of popular sovereignty in the name of "the sacred right of self-government." That, too, might be logical if the consent doctrine of the Declaration of Independence referred only to white people. "But if the negro is a man, is it not to that extent, a total destruction of self-government, to say that he too shall not govern *himself*." It was axiomatic, said Lincoln, "that no man is good enough to govern another man, *without that other's consent*."⁹ Here, and throughout his appeal to the Declaration, Lincoln never inquired into the philosophy of natural law and natural rights that undergirded it. He never read Locke's *Second Treatise* and, with most Americans, accepted the principles as the commonsense truths of his political faith. Frederick Douglass, the Negro leader, attributed Lincoln's peculiar power with words to a gift for clear and penetrating statement, without refined logic or rhetorical embellishment. "He had a happy faculty of stating a proposition . . . so that it needed no argument. It was a rough kind of reasoning, but it went right to the point."¹⁰

In the Peoria speech Lincoln voiced distress that the faith founded on the self-evident truths of the Declaration of Independence was now openly flouted. Why had not the Anti-Nebraska senators—why had not anyone—rebuked Pettit for calling these truths "a self-evident lie"? "If it had been said in old Indepen-

dence Hall, seventy-eight years ago, the very doorkeeper would have throttled the man, and thrust him into the street." The declension of the old faith was the root cause for the expansion of slavery replacing its restriction on the high road of national policy. In 1855 Lincoln wrote to his friend Joshua Speed:

Our progress in degeneracy appears to me to be pretty rapid. As a nation, we began by declaring "all men are created equal." We now practically read it "all men are created equal *except negroes*." When the Know-Nothings get control, it will read "all men are created equal, except negroes, *and foreigners, and catholics*." When it comes to this I should prefer emigrating to some country where they make no pretense of loving liberty—Russia, for instance, where despotism can be taken pure, and without the base alloy of hypocrisy.¹¹

The "pro-slavery theology" of the South, which began with repudiation of the equality doctrine, was creeping into northern minds. Pettit had signaled that for Lincoln; but much more famous were the electrifying words of Rufus Choate in the presidential campaign of 1856. The new Republican party had incorporated the principles of the Declaration of Independence into its platform. Choate, formerly a Massachusetts Whig in the lawyerly mold of Daniel Webster, now turned Democrat, denounced the Republican adoption of a revolutionary manifesto irreconcilable with the obligations of the Constitution of the United States and shuddered at the prospect of a government founded upon "the glittering and sounding generalities of natural right which make up the Declaration of Independence."¹²

In 1857, speaking at Springfield, Lincoln again held up the standard of the Declaration in his arraignment of Chief Justice Taney and the Dred Scott decision. Scott, held in slavery in Missouri, sued in federal court for his freedom based upon extended prior residence in Illinois and Wisconsin, both under the mandate of free soil. But Taney ruled that Scott, with other Negro slaves and their descendants, was not a citizen and thus had no standing

to sue. As Lincoln read the decision, Taney held that Negroes were not *men* in the eyes of the Declaration and the Constitution, hence had no claim to the inalienable rights of man. Taney's history, as well as his morality, was at fault. He assumed that the public estimate of the black man was lower in 1776 than now, when, in fact, said Lincoln, the reverse was true. Free Negroes then shared in the rights of citizens and the nation's leaders advocated gradual emancipation. "In those days, our Declaration of Independence was held sacred by all, and thought to include all; but now, to aid in making the bondage of the negro universal and eternal, it is assailed, and sneered at, and torn, till, if its framers could rise from their graves, they could not at all recognize it." Implicating Douglas in the Supreme Court's decision, Lincoln assailed the logic that because the Founding Fathers did not at once place Negroes on a plane of social and political equality with whites, therefore they were ever afterwards to be excluded from the rights of common humanity. It is sometimes said that the difference between Lincoln and Douglas with regard to the Negro was really very slight, and reference is made to Lincoln's refusal again and again to endorse actual, rather than abstract, equality for the Negro. In his usual apology, he said, first, that the Negro was not his equal "in all respects," and second, that equality was a goal to be attained through time. Such, indeed, had been the opinion of the Founding Fathers.

They meant simply to declare the right, so that enforcement of it might follow as fast as circumstances would permit. They met to set up a standard maxim for free society, which should be familiar to all, and revered by all; constantly looked to, constantly labored for, and even though never perfectly attained, constantly approximated, and thereby constantly spreading and deepening its influence, and augmenting the happiness and value of life to all people of all colors everywhere. The assertion that "all men are created equal" was of no practical use to our effecting our separation from Great Britain; and it was placed in the Declaration, not for that, but for future use. Its authors meant it to be

... a stumbling block to those who in after times might seek to turn a free people back into the hateful paths of despotism.

For Douglas, on the other hand, the Declaration had no practical or future use; it was simply a "memorial of the dead past."¹³ Between these views, between adherence to a moral standard to be approximated as fast as political circumstance permitted and adherence to no standard at all, there was more than a slight difference.

The dialogue continued in the Lincoln and Douglas debates of 1858. Significantly, the second paragraph of the Declaration was the first item Lincoln pasted into the pocket scrapbook he compiled for the debates. Both men were consistent in their positions. The senator continued to say he did not care if slavery was voted up or down in the territories, and the challenger continued to charge him with debauching the public sentiment on this question. Douglas was "blowing out the moral lights around us" by excluding the Negro from the "family of man" entitled to the rights of life, liberty, and the pursuit of happiness. Douglas constantly baited Lincoln as an abolitionist who would place the Negro on an equality with the white man; and the Republican fought off this blatant appeal to racial prejudice by assailing "the counterfeit logic" that because he recognized the equal rights of all men, he therefore wished "to vote, and eat, and sleep, and marry with negroes!" Douglas had earlier said that the equality claimed in the Declaration of Independence was the equality of the British subjects on this continent with the British subjects at home. In the debates, with an eye to the Germans of Illinois, he amended that to "men of European birth and European descent." Of course, this did not meet Lincoln's objection. At Galesburg, he accused Douglas of being the first person ever to assert that the Negro was excluded from the rights proclaimed in 1776. The idea was an invention called forth to justify popular sovereignty

and then the Dred Scott decision. To be sure, the truth of the equality doctrine had been denied by Calhoun and many others, but never until three years ago had anyone “ventured to assail it in the sneaking way of pretending to believe it and then asserting it did not include the negro.” Later, at Alton, Lincoln combated the “evil tendency” of this new principle. “I combat it as having a tendency to dehumanize the negro—to take away from him the right of ever striving to be a man. I combat it as being one of the thousand things constantly done in these days to prepare the public mind to make property, and nothing but property, of the *negro in all the States of this Union*.”¹⁴

With these last words Lincoln alluded to his fear that the Dred Scott decision augured the nationalization of slavery. The Supreme Court read the Constitution as a pro-slavery document. Lincoln acknowledged, at least privately, that the principles of the Declaration of Independence were not a “legal obligation” under the Constitution. At Chicago, in July, he had exclaimed, “If that declaration is not the truth, let us get the Statute book, in which we find it and tear it out! Who is so bold as to do it!” Well, it was in the statute books—that is where Lincoln had first found it—though, of course, it was not a statute. Unlike the court and the abolitionists, Lincoln read the Constitution as wholly compatible with the Declaration. Despite its several provisions respecting slavery, he noted that the word never appeared; instead a covert language of “other persons” was used to refer to slaves. Why? Because the framers, while laboring under the necessity of protecting slavery in order to secure “a more perfect Union,” were anxious that “there should be nothing on the face of the great charter of liberty suggesting that such a thing as negro slavery had ever existed among us.” For they expected slavery would soon come to an end but the Constitution would live forever.¹⁵ Lincoln’s thought on the founders’ intentions about slavery was worked to a finish in the Cooper Union address of 1860.

In April, 1859, Lincoln's "grand pertinacity" led him to compose one of the most brilliant letters in the annals of politics. He wrote respectfully to decline an invitation to a Republican festival in Boston in honor of Thomas Jefferson on the 116th anniversary of his birth. The Massachusetts Republicans sought to rally the party under the banner of Jefferson—author of the Declaration of Independence and father of slavery restriction—whose political heirs they professed to be. With his flair for appreciating the humorous side of even the gravest events, Lincoln magnificently captured the spirit of the occasion. Bearing in mind, he observed, that some seventy years ago Jefferson was the head of one of the original political parties and Boston the headquarters of the other, "it is both curious and interesting that those supposed to descend politically from the party opposed to Jefferson, should now be celebrating his birthday in their original seat of empire, while those claiming political descent from him have nearly ceased to breathe his name everywhere." The two parties had completely changed hands on the chief issue that had divided them: the issue between liberty and property. Lincoln then told an anecdote to make his point:

I remember once being much amused at seeing two partially intoxicated men engage in a fight with their great-coats on, which fight, after a long, and rather harmless contest, ended in each having fought himself *out of* his own coat, and *into* that of the other. If the two leading parties of this day are really identical with the two in the days of Jefferson and Adams, they have performed about the same feat as the two drunken men.

"But soberly," he continued, "it is now no child's play to save the principles of Jefferson from total overthrow in this nation." Drawing upon the language of Euclidian geometry, he called Jefferson's self-evident truths "the definitions and axioms of free society." Unless Americans could agree upon them, no enduring Union was possible, yet they were openly flouted in the South and

dashingly dismissed as “glittering generalities” in the North. This was the vanguard of returning despotism. It must be repulsed. And the Illinoisan concluded with an eloquent tribute to the great Virginian:

All honor to Jefferson—to the man who, in the concrete pressure of a struggle for national independence by a single people, had the coolness, forecast, and capacity to introduce into a merely revolutionary document, an abstract truth, applicable to all men and all times, and so to embalm it there, that to-day, and in all coming days, it shall be a rebuke and a stumbling-block to the very harbingers of re-appearing tyranny and oppression.

Democrats denounced this dramatic theft of their talismanic property as “barefaced humbuggery.” There is always a quota of that in American politics; but after making allowance for it, the important point is that by tying up to Jefferson the Republicans sought to define the ideological grounds of the coming contest.¹⁶

The question naturally arises of how much Lincoln knew about Jefferson and the early party conflict. He was certainly not a student of the subject. Records of the Library of Congress show that in 1861 four volumes of Jefferson’s writings were charged out to the President. This suggests, at least, some interest. But in that age one did not have to read books to be conversant with the history of the parties. It was embedded in political tradition, stereotyped in the public discourse, ritualistically invoked at every election. The idea of an ongoing struggle between two systems of politics, one Jeffersonian, the other Hamiltonian, and the ascendancy of the former over the latter with the advance of democracy—this was truly philosophy teaching by example. Although the Jacksonian Democratic party laid strong claim to descent from Jefferson, that claim was vigorously contested by the National Republicans, then the Whigs, and finally the Republicans. Lincoln followed Henry Clay in maintaining that he and his party were the true heirs of Jefferson. Democratic legitimacy was thus identified with

the nationalist idea rather than the idea of state rights, and of course with anti-slavery.¹⁷

Lincoln was elected President on a platform that pledged fidelity to the Declaration of Independence. In the speeches he delivered as he journeyed to Washington in February, 1861, he seldom uttered a complete thought, so unwilling was he to anticipate his own actions in the crisis that burgeoned before him; however, in Philadelphia he again invoked the Declaration to underscore the moral dimension of the crisis. The occasion was a flag-raising at Independence Hall, memorable for both the Declaration and the Constitution, though Lincoln said nothing of the latter. He had often pondered, he told the audience, what great principle or idea it was that held the infant confederation together. "It was not a mere matter of separation of the colonies from the mother land; but something in the Declaration giving liberty, not alone to the people of this country, but hope to the world for all future time. It was that which gave promise that in due time the weights should be lifted from the shoulders of all men, and all should have an equal chance." The great immediate question, Lincoln said gravely, was whether the country could be saved on this principle. Only the night before, he had been warned of a plot to assassinate him on his passage through Baltimore to the capital. Now he made mysterious allusion to this as he continued, "But, if this country cannot be saved without giving up that principle—" he paused, and with what would later seem ominous foresight went on—"I was about to say I would rather be assassinated on this spot than surrender it."¹⁸ In the sequel, Lincoln's travel plans were altered, and he was ridiculed in the press for sneaking into Washington in the dark of night. The humorist Sut Lovingood imagined himself the President Elect's bodyguard. Frightened near to death in Baltimore, Lincoln says to Sut, "And mind, tell 'em I died game and that my last words were the Declaration [of Independence] says . . ."¹⁹

The Inaugural Address was an eleventh-hour plea to preserve the Union and the Constitution. Lincoln noticed the Declaration only in passing. Curiously, both sides in 1861 appealed to the example of 1776 and justified their cause by it. Jefferson Davis, in his Inaugural Address at Montgomery, referred to “the American idea that governments rest on the consent of the governed, and that it is the right of the people to alter or abolish them at will whenever they become destructive to the ends for which they were established.” The people of the southern states now stood in the same relation to the United States as the people of the colonies stood to Great Britain in 1776. The southern states, said Davis, “merely asserted the right which the Declaration of Independence defined as ‘inalienable.’” *What was “inalienable”?* Not the rights of man, but the rights of sovereign communities called states to secede from the Union and form a new confederation. *Government on whose “consent”?* Not of the people united as “one people,” choosing their rulers in a free election, as in 1860; but of the people of the separate states. In March the newly installed vice president of the Confederacy, Alexander H. Stephens, candidly declared that this new government rested on an idea exactly the opposite of that asserted by Jefferson in 1776; “its foundations are laid, its corner-stone rests upon the great truth that the negro is not equal to the white man, that slavery—subordination to the superior race—is his natural and normal condition.”²⁰

Lincoln, in contrast, identified the cause of the Union with the natural rights principles and philosophy of the Declaration of Independence. In his Message to Congress, July 4th, 1861, he assailed the “ingenious sophism” that rebellion was constitutional under an alleged right of secession. The states, never having been sovereign, had no rights independent of the Union. He reiterated the doctrine, got mainly from Joseph Story, that the Union was older than the Constitution, even older than the Declaration of Independence, which was the united act of “one people.” From

that moment eighty-five years ago, the United States was a nation *de facto*. The conjunction between nationality and democracy was fundamental. "This is essentially a People's contest," the President affirmed: "On the side of the Union, it is a struggle for maintaining in the world, that form, and substance of government, whose leading object is, to elevate the condition of man . . ." ²¹ In the most famous of Lincoln literary fragments, conjecturally dated January, 1861, in his *Collected Works*, he philosophizes that the success of the American experiment thus far arose not primarily from the Constitution and the Union but from "something back of these, entwining itself more closely about the human heart . . . the principle of 'Liberty to all.'" Without it the American Revolution would not have been won, free government established, prosperity advanced. And then he took a line from the 25th chapter of Proverbs—"A word fitly spoken is like apples of gold in pictures of silver"—and with it imaged his conception of the American experiment.

The assertion of that *principle*, at *that time*, was the word, "*fitly spoken*" which has proved an "apple of gold" to us. The *Union* and the *Constitution*, are the *picture* of *silver*, subsequently framed around it. The picture was made, not to *conceal*, or *destroy* the apple; but to *adorn*, and *preserve* it. The *picture* was made *for* the apple—not the apple for the picture.

So let us act, that neither *picture*, or *apple* shall ever be blurred or broken. ²²

President Lincoln would have many occasions to reflect upon the intertwined objectives of preserving the Union and advancing liberty and equality for all. With the Emancipation Proclamation he took a giant step toward ensuring that the picture was, indeed, made for the apple. The Gettysburg Address is the supreme example in English prose, rivaled only by Jefferson's Preamble, of a political rhetoric of first principles. It cannot be explained, nor can it be fully understood, except as the culmination of Lincoln's "grand pertinacity." Significantly, the founding director of

the Lincoln Library and Museum, Louis A. Warren, entitled his book on the famous address, *Lincoln's Gettysburg Declaration*, thus suggestively linking Jefferson's Revolutionary manifesto to Lincoln's "new birth of freedom" on the battlegrounds of the Civil War. Lincoln's declaration subtly changed Jefferson's—for nine years he had been changing it—by turning an enlightened appeal to reason and nature in behalf of individual liberty into a national sacrament. The Gettysburg Address began with the idea of a nation "brought forth" in 1776, "conceived in Liberty, and dedicated to the proposition that all men are created equal." The fact that he used the word "proposition" was counted a fault by certain learned critics, for in logic a *proposition* is something to be proved, and one cannot be *dedicated* to that. The President might have chosen *axiom*, as in the Boston letter, or *truth*, in Jefferson's "self-evident" sense; by the use of *proposition* he may have meant deliberately to say that the great principle was being tested by the war, or this may have been a distinction without a difference in his mind.²³ The address went on to employ the primal myth of birth, death, and renewal to comprehend the terrible sacrifice at Gettysburg and to illuminate the nation's destiny. Senator Sumner was the first to say that the battle was less important than the address. "Ideas are more important than battles."²⁴

*

After the war it became a commonplace among Republicans in the victorious North to say that Lincoln had united the two great strands of national authority and individual freedom in the political tradition and had thereby created a permanent basis of American democracy. The clarity and boldness with which he seized upon and articulated the promises of the Declaration of Independence helped to shape the future. Not only had it put the South in the wrong with regard to both slavery and the Union, but it also

secured the historical continuity between the nation's origins and its destiny.

In our recent history, after the terrible aberration of the late nineteenth century, the revolutionary philosophy of human rights was again brought to bear on the deep problem of the Negro in American society. Perhaps the first milestone of what historians have come to call the Second Reconstruction was the publication in 1944 of Gunnar Myrdal's *An American Dilemma: The Negro Problem and Modern Democracy*. In the first chapter of this monumental work, Myrdal, the eminent Swedish social scientist, postulated that all Americans, regardless of race or national origin, of religion or class or region, profess identical social and political ideals, share a common *ethos*, and that this "American Creed," as he named it, is the real cement of this great and disparate nation. ". . . America, compared to every other country in Western civilization, large or small, has the *most explicitly expressed* system of general ideals in reference to human interrelationships. This body of ideals is more widely understood and appreciated than similar ideals are anywhere else." To be sure, he went on to say, the creed was not satisfactorily effectuated. "But as principles which ought to rule, the Creed has been made conscious to everyone in American society." Myrdal located the premier statement of the creed in the Declaration of Independence. The course of American history offered the spectacle of a people continuously struggling for its own soul. This conception corresponded closely to Lincoln's. Myrdal noted the paradox that a people that had in its hands the power to change everything had changed nothing in their core values. And so the Americans are "conservative in fundamental principles," but "the principles conserved are liberal and some, indeed, are radical."²⁵ In his statesmanship, Lincoln embodied the paradox: committed to conserving the nation's founding principles, he revolutionized it in the pursuit of them.

NOTES

1. *Works of Charles Sumner* (Boston, 1870-83), IX, 369-428.
2. *Congressional Record*, 45 Cong., 2 Sess., 969; William H. Herndon and Jesse W. Weik, *Herndon's Lincoln* (Chicago, 1889), II, 408; Moses Coit Tyler, *Literary History of the American Revolution* (New York, 1957), I, 517.
3. I have drawn upon my *Thomas Jefferson and the New Nation: A Biography* (New York, 1970), 88-96. See also the exposition by Mortimer J. Adler and William Gorman, *An American Testament* (New York, 1975). Unfortunately, there is no history of the Declaration of Independence in American thought, though light is shed on the subject in a number of books, among them Michael Kammen, *A Season of Youth* (New York, 1978) and my *The Jefferson Image in the American Mind* (New York, 1960).
4. W. S. Jenkins, *Pro-Slavery Thought in the Old South* (Chapel Hill, 1935), 156 and *passim*; [Daniel K. Whitaker], Review of Channing, *Southern Quarterly Review*, vol. 2 (1842), 155-56; Webster's Reply to Hayne, *Register of Debates*, 21 Cong., 1 Sess., 80; Calhoun, in *Works*, Richard Crallé, ed. (New York, 1853-55), VI, 511-12; Adams, *The Jubilee of the Constitution: A Discourse . . .* (New York, 1839), 40-41, 54-55.
5. *Collected Works of Abraham Lincoln*, Roy P. Basler, ed. (New Brunswick, 1953), I, 108-13.
6. *Ibid.*, IV, 67.
7. *Congressional Globe*, 33 Cong., 1 Sess., 337-43, Appendix, 137, 337, 214, 310-11, 520-21. For Lincoln's citations of Pettit, *Collected Works*, II, 275, 283, 111, 205, 301-302; for the Massachusetts case, see Leonard W. Levy, *The Law of the Commonwealth and Chief Justice Shaw* (Cambridge, 1957), 62-68.
8. Paul M. Angle, *Lincoln 1854-1861* (Springfield, 1933), x, and July 16-August 9 entries.
9. *Collected Works*, II, 247-54; see especially, 255, 264, 266.
10. In *Reminiscences of Abraham Lincoln*, Allen T. Rice, ed. (New York, 1889), 194-95.
11. *Collected Works*, II, 275, 323.
12. *Works of Rufus Choate* (Boston, 1862), I, 214-15.
13. *Collected Works*, II, 398-401; see especially, 404, 405-406.
14. *Ibid.*, 11, 405-406, III, 220, 301-302, 304; Jesse W. Weik, *The Real Lincoln* (Cambridge, 1922), 10.

15. *Ibid.*, III, 327, II, 500-501, III, 307.
16. To Henry L. Pierce and Others, April 6, 1859, *ibid.*, III, 374-75. For the proceedings, see the *Boston Daily Atlas and Bee*, April 11, 1859; for praise of Lincoln's letter, see especially the *Atlas*, June 29, 1860, and the *Cincinnati Daily Gazette*, July 4, 1860; and for the context, see my *Jefferson Image*, 162-64 and *passim*.
17. *Ibid.*, 20-21, 72-74, 105, and *passim*, for "history of the parties"; F. Lauriston Bullard, "Lincoln as a Jeffersonian," *More Books*, vol. 23 (1948), 289.
18. *Collected Works*, IV, 240-41.
19. George Washington Harris, *Sut Lovingood* (New York, 1954), 234.
20. *Jefferson Davis Constitutionalist*, Dunbar Rowland, ed. (Jackson, 1923), V, 50; Henry Cleveland, *Alexander H. Stephens in Public and Private* (Philadelphia, 1866), 721.
21. *Collected Works*, IV, 432-34, 438; Joseph Story, *Commentaries on the Constitution of the United States* (Boston, 1858), I, Bk. II, Ch. 1.
22. *Collected Works*, IV, 168-69.
23. *Ibid.*, VII, 22-23; Goldwin Smith, in *Macmillan's Magazine*, v. 84 (1865), 426-30. For contrasting views on "proposition," see Adler and Gorman, *Testament*, 120, and Glen E. Thurow, *Abraham Lincoln and American Political Religion* (Albany, 1976), 72-75.
24. Sumner, *Works*, IV, 404.
25. *An American Dilemma* (New York, 1944), Ch. 1, especially 3-4, 7, 23. I have been reminded that Harry Jaffa, in *Crisis of the House Divided* (New York, 1958), 373-74, refers to Myrdal in the same way.

MERRILL D. PETERSON

Born in Manhattan, Kansas, in 1921, Merrill D. Peterson graduated from the University of Kansas in 1943 and earned his Ph.D. at Harvard University in 1950. After teaching at Brandeis University and at Princeton, he became the Jefferson Foundation Professor of History at the University of Virginia and later served as Chairman of the Department of History and also as Dean of the Faculty of Arts and Sciences.

Professor Peterson is the author or editor of fourteen books, including the 1961 winner of the Bancroft Prize in American History: *The Jefferson Image in the American Mind*. His thousand page biography, *Thomas Jefferson and the New Nation*, appeared in 1970. His Lamar Lectures, delivered at Mercer College, became *Adams and Jefferson: A Revolutionary Dialogue* (1976), and his Fleming Lectures, delivered at Louisiana State University, were published as *Olive Branch and Sword — The Compromise of 1833* (1982).

In 1987 Oxford University Press published *The Great Triumvirate: Webster, Clay and Calhoun*. One reviewer summed up the broad impact of this and the rest of Professor Peterson's books by saying that his writing provided "satisfaction to scholars, instruction to students, and enjoyment to all."

Professor Peterson, who lives in Charlottesville, Virginia, is writing a book to be called *Lincoln in American Memory*.

1525 COPIES OF THE FOURTEENTH ANNUAL
R. GERALD McMURTRY LECTURE HAVE BEEN
PRINTED AT THE STINEHOUR PRESS, LUNENBURG, VERMONT
ON MOHAWK SUPERFINE TEXT
AND SIMPSON GAINSBOROUGH COVER.
TEXT SET IN LINOTRONIC BASKERVILLE L.D.
WITH MONOTYPE AND ATF BASKERVILLE FOR THE COVER.
1500 COPIES BOUND INTO PAPER COVERS.
25 SPECIALLY BOUND HARDCOVER COPIES SIGNED
BY THE AUTHOR.

